

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 13, 1970  
October 14, 1970

Appeal No. 10383 Herman Deutsch, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meetings of May 19, 1970 and October 28, 1970.

EFFECTIVE DATE OF ORDER - December 4, 1970

ORDERED:

That the appeal for permission to change a non-conforming use from a grocery to a grocery-delicatessen at 101 15th Street, N.E., lot 38 in Square 1069 be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The subject property is improved with a retail grocery store under Certificate of Occupancy B68506.
3. Appellant proposes to establish a grocery store-delicatessen on subject property.
4. The Board in Executive Session on May 19, 1970 denied appellant's appeal. The appellant appeared at the public hearing on September 16, 1970 and requested a re-hearing and/or consideration. The Board on September 22, 1970 in Executive Session granted the appellant's request for a re-hearing.
5. At the re-hearing on October 14, 1970 the appellant alleged that the nearest delicatessen to the subject property is five (5) blocks away. Appellant further alleged that the neighbors requested that the appellant open such a delicatessen because there was not a delicatessen in the area which would serve the neighborhood after 6 p.m. The appellant also stated that the subject premises had been in existence as a grocery store before 1958.

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6. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning Regulations and Map.

This order shall be subject to the following condition:


(a) No neon or gas tube displays shall be located on the outside of the building nor shall any such displays, if placed inside the building, be visible from the outside.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: \_\_\_\_\_

  
PATRICK E. KELLY  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.